

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

HAROLYN H. ¹ ,	:	
Plaintiff,	:	Case No. 3:23-cv-8
v.	:	JUDGE WALTER H. RICE
COMMISSIONER,	:	MAGISTRATE JUDGE
Social Security Administration,	:	ELIZABETH A. PRESTON DEAVERS
Defendant.	:	

DECISION AND ENTRY ADOPTING REPORT AND
RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE
(DOC. #11); THE DECISION OF DEFENDANT COMMISSIONER,
SOCIAL SECURITY ADMINISTRATION, THAT PLAINTIFF HAROLYN
H. WAS NOT DISABLED, AND THEREFORE NOT ENTITLED TO
BENEFITS, UNDER THE SOCIAL SECURITY ACT IS REVERSED AND
THE MATTER IS REMANDED TO THE COMMISSIONER PURSUANT
TO SENTENCE FOUR OF 42 U.S.C. § 405(g) FOR FURTHER
PROCEEDINGS CONSISTENT WITH THIS ENTRY; JUDGMENT
SHALL ENTER IN FAVOR OF PLAINTIFF AND AGAINST THE
COMMISSIONER; TERMINATION ENTRY

The Court has reviewed the January 11, 2024, Report and
Recommendations of Magistrate Judge Elizabeth A. Preston Deavers (Doc. #11), to
whom this case was referred pursuant to 28 U.S.C. § 636, and the administrative
record, including the decision by the Administrative Law Judge ("ALJ") of the

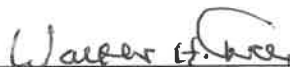
¹ "The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials." General Order 22-01.

Defendant Commissioner, Social Security Administration, that Plaintiff Harolyn H. is not disabled under Sections 216 and 223 of the Social Security Act ("Act"). (Admin. Record, Doc. #7-2, PAGEID 56, citing 42 U.S.C. §§ 416(i), 423(d)). In the Report, the Magistrate Judge recommended that the Commissioner's non-disability finding be rejected and that the matter be remanded to the Commissioner under Sentence Four of 42 U.S.C. § 405(g) (Doc. #11, PAGEID 2315). No objections to the Report were filed, and the time for doing so has passed. FED.R.CIV.P. 72(b)(2).

In light of the above, and finding the Report to be well taken, the Court ADOPTS the Report (Doc. #11). The Commissioner's decision that Plaintiff is not disabled is REVERSED, and the matter is REMANDED to the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and this Entry. Judgment shall enter in favor of Plaintiff and against the Commissioner.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: March 4, 2024



WALTER H. RICE
UNITED STATES DISTRICT JUDGE